IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1555 OF 2005

WITH

CRIMINAL APPLICATION NO.1556 OF 2005

Suryakant Anant Korgaonkar ... Applicant

versus

State of Maharashtra ... Respondent

...

Mrs.P.U. Badadare holding for Mr. Swapnil S. Pednekar, for the Applicant in both matters.

Mr.A.S. Gadkari, A.P.P., for the Respondent in both matters.

...

CORAM : A.M.KHANWILKAR,J.

18th March 2005

P.C.:

. Heard Counsel for the parties. I see no reason to depart from the conclusion reached by the Court below in rejecting the bail application preferred by the Applicant. Sound reasons have

been recorded by the lower Court which are supported by the evidence on record as can be discerned from para 7 of the order. Applicant's house was the centre of activity. The Applicant is charged along with other accused on the allegations of conspiracy. There are strong circumstances to indicate complicity of the Applicant in the commission of the crime. Those circumstances are highlighted by the lower Court in the order rejecting bail. I see no reason to depart from the conclusion, as that is the correct view to be taken on the basis of material on record.

. Besides, I also find substance in the ground mentioned by the lower Court in para 8 that if the Applicant is released, there is possibility of the Applicant misusing the liberty to tamper with the evidence and to terrorise the prosecution witnesses. The offence is a serious offence. 10 persons have been brutally murdered for the activities of the Applicant and his associates.

. Counsel for the Applicant vehemently

submitted that the Applicant should be released on bail on parity with accused Chandrashekhar Masurkar, Tukaram Chavan and Tanaji Gawade. However, role of those accused is different; whereas, as mentioned earlier, the Applicant's house was the centre of entire activity and the Applicant has taken active part at one stage or the other. In the circumstances, these applications should fail. Hence, dismissed.

. As prayer for bail is rejected, the Sessions Court, Sindhudurg, is directed to assign the case to Fast Track Court, so as to ensure early disposal of the trial as High Court Expedited Case.

(A.M.KHANWILKAR,J.)